

REMARKS

Claims 1-8 are pending in this application. By this Amendment, the specification and claims 1, 2, 7 and 8 are amended. No new matter is added by any of these amendments.

Reconsideration based on the following remarks is respectfully requested.

I. The Foreign Document is Properly Disclosed

An Information Disclosure Statement filed on February 5, 2004 indicated submission of a Japanese office action identified as a foreign search report. A Japanese language copy of this document is attached to this Amendment for the Examiner's consideration.

II. Request for Acknowledgement of Claim for Priority

The Office Action Summary does not acknowledge receipt of the certified copy of the priority document filed with the PCT application on August 20, 1998. Priority is claimed under 35 U.S.C. §371, so a certified copy of the priority document can be obtained from the International Bureau. Thus, a certified copy of the priority document need not be filed. The U.S. Patent and Trademark Office is requested to acknowledge both the claim for priority and receipt of the certified copy of the priority document, and indicate that the requirements of 35 U.S.C. §371 have been satisfied.

III. The Drawings Satisfy All Formal Requirements

The Office Action objects to the drawings based on informalities. The terminals 12 are shown in plan view of Figs. 1, 2, 5, 7, 8, 10, 11, 13, 14, 16, 17, 19, 20, 22, 23 and 26, and described in paragraph [0043]. Withdrawal of the objection to the drawings is respectfully requested.

IV. The Specification Satisfies All Formal Requirements

The Office Action objects to the specification based on informalities. The specification has been amended to obviate the objection. Support in the specification for the opposite electrode *op* in relation to the terminals 12, as recited in claim 4, is found at

paragraph [0043], bottom three lines. Withdrawal of the objection to the specification is respectfully requested.

V. The Claims Satisfy All Formal Requirements

The Office Action objects to claim 7 based on informalities. Claim 7 has been amended to obviate the objection. Withdrawal of the claim objection is respectfully requested.

VI. Claims 7 & 8 Satisfy the Requirements under 35 U.S.C. §112, second paragraph

The Office Action rejects claims 7 and 8 under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 2, from which claims 7 and 8 depend, has been amended to obviate this rejection in view of the Examiner's helpful comments. Withdrawal of the rejection under 35 U.S.C. §112, second paragraph is respectfully requested.

VII. Claims 1-8 Define Patentable Subject Matter

The Office Action rejects claims 1-8 under 35 U.S.C. §102(b) over U.S. Patent 6,147,451 to Shibata *et al.* (Shibata). The Office Action further rejects claims 1-3 and 6-8 under 35 U.S.C. §102(e) over U.S. Patent 6,194,837 to Ozawa. These rejections are respectfully traversed.

Neither Shibata nor Ozawa teaches or suggests a display device including an opposite electrode, and a plurality of pixels, each of the pixels including a pixel electrode, and an organic semiconductive film deposited between the pixel electrode and the opposite electrode, the opposite electrode being formed for the plurality of pixels other than a region where a terminal is formed, as recited in claim 1.

Nor do Shibata or Ozawa teach or suggest a display device including, *inter alia*, scanning, data and common feed lines formed above a substrate, pixel electrodes being electrically connectable to one common feed line through a transistor; and an opposite electrode formed for the pixel electrodes in common, and terminals formed above the substrate, and being not covered by the opposite electrode, as recited in claim 2.

Shibata also fails to teach or suggest a display device including a substrate, terminals formed on the substrate, pixel electrodes disposed correspondingly to a display section of the substrate, and an opposite electrode formed over the display section, an organic semiconductive film being disposed between each of the pixel electrodes and the opposite electrode, and the opposite electrode covering the terminals, as recited in claim 4.

Instead, Shibata discloses an organic electroluminescent display device. In particular, Shibata teaches a silicon substrate 1 with Y and X drivers 31, 32, a sample/hold circuit 33, and an EL device 20 with MOS transistors Tr1, Tr2. The transistors include a pixel electrode 22 an organic layer 23, a transparent electrode 24. See col. 3, lines 59-65, col. 4, lines 21-39, 42-49 and Figs. 4 and 5 of Shibata.

Also, the present application claims priority as a divisional from parent application 09/284,802 filed April 21, 1999. See MPEP §201.11(III)(A). Shibata issued on November 14, 2000, which is after the filing date of the parent application rather than more than a year before. Thus, Shibata is not a proper reference under §102(b). See MPEP §706.02(a).

Further, Ozawa discloses a display device with TFTs and an organic semiconductor film. In particular, Ozawa teaches a pixel electrode 41 overlaid successively by a hole injection layer 42, a semiconductor film 43, and an opposite electrode op. See col. 8, lines 18-28 and Fig. 5 and Abstract of Ozawa.

There is no mention in either Shibata or Ozawa of terminals on the substrate, either covered or not covered by an opposite electrode. Thus, the applied references fail to teach or suggest all of Applicant's claimed features.

Applicant claims a PCT filing date of August 20, 1998 under 35 U.S.C. §371 based on PCG/JP98/03699 for a foreign priority date of August 21, 1997 based on Japanese Patent Application 09-225434. A verified English translation of the priority document is attached. See MPEP §1893.01(d).

Ozawa has a PCT publication date of January 14, 1999 and serves as a reference under 35 U.S.C. §102(a). Ozawa is accorded February 26, 1999 as a date under §§371 and 102(e). Ozawa claims a PCT filing date of July 1, 1998 and a priority date of July 2, 1997 for Japanese Patent Application 09-177454. Additionally, Shibata claims a priority date of August 8, 1997 for Japanese Patent Application 09-214724. However, such foreign priorities may not be properly applied for a reference.

The filing date for Shibata is August 6, 1998. The PCT filing date for Ozawa is July 1, 1998. Both dates are antedated by Applicant's priority date of August 21, 1997. Thus, Shibata and Ozawa are not proper references under 35 U.S.C. §§ 102(e) or 103(a). See MPEP §201.15.

A claim must be anticipated for a proper rejection under §102(a), (b) and (e). This requirement is satisfied "only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." See MPEP §2131. The Office Action has not satisfied this burden for anticipating Applicant's claimed features with Shibata and Ozawa.

For at least these reasons, Applicant respectfully asserts that the independent claims are now patentable over the applied references. The dependent claims are likewise patentable over the applied references for at least the reasons discussed as well as for the additional features they recite. Consequently, all the claims are in condition for allowance. Thus, Applicant respectfully requests that the rejections under 35 U.S.C. §102 be withdrawn.

VIII. Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,



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Attachments:

Copy of Japanese Office Action
Verified English Translation of Priority Document

Date: May 18, 2004

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